

Appl. No. 10/723,396  
Response Date: December 1, 2005  
Reply to Office Action of September 1, 2005

• • R E M A R K S / A R G U M E N T S • •

The Official Action of September 1, 2005 has been thoroughly studied. Accordingly, the following remarks are believed to be sufficient to place the application into condition for allowance.

By the present amendment the claims have been changed to require the limitations of the apparatus claims. This change is believed to sufficiently link the process and apparatus claims so that at least the field of search for the process claims would encompass the field of search for the apparatus this eliminating any burden imposed upon the Examiner for examining the apparatus claims with the process claims.

Claims 13, 15 and 17 have been canceled.

In addition, the claims have been changed to more particularly describe applicant's invention.

Entry of the changes to the claims is respectfully requested.

In the Restriction Requirement the Examiner has required applicant to elect between the process claims (1-9, 21-26 and 28-30) and the apparatus claims (10-20, 27 and 31).

Applicant hereby elects to have the process claims (1-9, 21-26 and 28-30) examined in the present application and again notes that the amendments to the claims link the process and apparatus claims so that at least the field of search for the process claims would encompass the field of search for the apparatus this eliminating any burden imposed upon the Examiner for examining the apparatus claims with the process claims.

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In addition to the Restriction Requirement, the Examiner has required applicant to elect between:

- a) the use of air as the gas stream and a flue gas as the gas stream;
- b) the heating means being a flame generator, laser beam, electric arc or a microwave generator; and
- c) the decomposition of  $\text{NO}_x$ ,  $\text{CO}_2$  or  $\text{SO}_x$ .

Applicant hereby elects to have air searched as the gas stream, noting that flue gas generally contains air.

Applicant hereby elects the use of a flame generator as the means for heating the gas stream, noting that the independent claims are generic with respect to the means for heating.

Applicant hereby elects the decomposition of  $\text{NO}_x$ , noting that claim 21 is generic to each of the chemical species.

The claims that read on the elected species include all of the pending claims 1-12, 14, 16 and 18-32.

The Examiner is requested to reconsider and withdraw the Restriction Requirement and each of the Election of Species Requirements.


It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

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If upon consideration of the above, the Examiner should feel that there remains outstanding issues in the present application that could be resolved, the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,

  
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